

Exhibit G



OFFICE OF THE STATE'S ATTORNEY
COOK COUNTY, ILLINOIS

ANITA ALVAREZ
STATE'S ATTORNEY

PAUL A. CASTIGLIONE
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FOR POLICY

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WRITER'S DIRECT LINE:
(312) 603-1840

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January 5, 2015

VIA ELECTRONIC MAIL

Alexandra Lampert, Esq.
Neufeld, Scheck & Brustin, LLP
99 Hudson Street
8th Floor
New York, New York 10013

Re: *Saunders v. City of Chicago, et al.*, 12 C 9158

Dear Ms. Lambert:

I received the December 22, 2014 subpoena that you submitted to the Cook County State's Attorney's Office (the "SAO") in the aforementioned case pursuant to FEDERAL RULE OF CIVIL PROCEDURE 45 (the "Subpoena"). In our conversation of December 31, 2014, we agreed that the SAO would respond to this subpoena no later than Monday, January 5, 2015. In this regard, I am sending you this response by e-mail today.

In response to the Subpoena, the SAO states as follows:

RESPONSE AND OBJECTIONS

1. The State's Attorneys' Office's complete files or set of files related to the investigation and prosecution of Nina Glover's murder for all Plaintiffs—Harold Richardson, Michael Saunders, Vincent Thames, and Terrill Swift—and Jerry Fincher, including through and beyond the post-conviction proceedings and exonerations. This request includes but is not limited to any and all felony review notes and memos, both hand and type written; color copies of any photographs taken of the Plaintiffs; any witness statements, and crime lab reports or other scientific evidence relating to any of the events described in any of the Plaintiffs' complaints; and any communications relating to this case, including memos, letters, faxes, emails, reports, etc.

Response: As you are aware, defendant Assistant State's Attorney Fabio Valentini has already produced documents in discovery in this matter. In addition, the State's Attorney's Office has produced documents responsive to a subpoena you previously issued. Consequently, please see those documents in response to request #1.

You now request all documents related to the investigation of the murder of Nina Glover and resulting criminal prosecutions, "including through and beyond the post-conviction proceedings and exonerations." In this regard, you have requested documents pertaining to the deliberations of the State's Attorney regarding the decision whether to *no*lle pros the charges against the plaintiffs Harold Richardson, Michael Saunders, Vincent Thames, and Terrill Swift for the murder of Nina Glover as well as the decisions related to the various petitions for certificate of innocence filed by any of those plaintiffs.

Beyond the previously produced documents that pertain to the investigation into the murder of Nina Glover and the prosecution of that murder, the SAO objects to this request on the grounds that it seeks documents that the deliberate process privilege protects from disclosure.

As the SAO has submitted its response and objections to this subpoena within an agreed upon time period of on or before January 5, 2015 by e-mail, the SAO will submit a declaration or affidavit and privilege log in support of its claims of privilege within a reasonable time as federal law allows. See *Minnesota School Boards Ass'n Ins. Trust v. Employers Ins. Co. of Wausau*, 183 F.R.D. 627, 630 (N.D. Ill. 1999).

2. All Documents in the State's Attorneys' Office's files relating to any investigation into the conduct of any of the Police Officer Defendants relating to any of the events described in any of the Plaintiffs' complaints.

Response: To date, the SAO has not found any documents that are responsive to this request. Investigation continues.

To the extent that such documents do exist, the SAO would nonetheless object to their production on the grounds the deliberate process privilege and work product privilege would shield the SAO from producing them.

3. Any organization chart in the State's Attorneys' Office's possession that includes one or more Defendants and that identifies Defendants' chains of command from: November 1994 to November 1995.

Response: The SAO has no documents that are responsive to this request.

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4. All Documents in the State's Attorneys' Office's files relating to any investigation into the conduct of former Assistant State's Attorney Terence Johnson relating to any of the events described in any of the Plaintiffs' complaints.

Response: The SAO has no documents that are responsive to this request.

5. All Documents in the State's Attorneys' Office's files relating to any investigation into the conduct of Assistant State's Attorney Fabio Valentini relating to any of the events described in any of the Plaintiffs' complaints.

Response: The SAO has no documents that are responsive to this request.

6. Although this material is already covered by the previous requests, in an abundance of caution and in the event there is any doubt, produce all documents, correspondence, and communications that relate to the States Attorney's Office's reinvestigation into the Nina Glover homicide (which Plaintiffs believe began around 2010, but which may have begun at an earlier time), including all documents, correspondence, and communications that relate to the post-conviction motions filed by Plaintiffs (motion for DNA testing, motion to vacate, and motion for a certificate of innocence that were filed by the Plaintiffs in and around 2010 to 2012). This request includes but is not limited to any and all emails, faxes, notes, letters, memoranda, reports, investigation memos, witness statements, investigation into witnesses or other suspects, and all documents and information relating to Johnny Douglas.

Response: Objection on the grounds that request #6 seeks documents protected from disclosure by the deliberate process privilege. *See* answer to response #1. To the extent that request #6 seeks documents protected from disclosure by the work product privilege, the SAO objects on those grounds as well.

7. Produce all physical evidence relating to the Nina Glover homicide, and all original trial exhibits from both the Saunders, Richardson, and Swift trials (Case No. 95-cr-9676) that are in the custody, control or possession of the State's Attorney's Office.

Response: None at this time. Investigation continues.

Sincerely,

A handwritten signature in black ink that reads "Paul Castiglione". The signature is written in a cursive, flowing style with a large initial "P".

Paul A. Castiglione
Executive Assistant State's Attorney
For Policy
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